

Order

Michigan Supreme Court
Lansing, Michigan

November 3, 2006

Clifford W. Taylor,
Chief Justice

128620

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

AMERIGO PALARCHIO, as Conservator
and Guardian of LINDA PALARCHIO,
a legally incapacitated person,
Plaintiff-Appellee,

v

SC: 128620
COA: 258847
Wayne CC: 02-238086-NF

AUTOMOBILE CLUB INSURANCE
ASSOCIATION,
Defendant-Appellant.

By order of September 21, 2005, the application for leave to appeal the March 24, 2005 order of the Court of Appeals was held in abeyance pending the decision in *Cameron v Auto Club Ins Ass'n* (Docket No. 127018). On order of the Court, the case having been decided on July 28, 2006, 476 Mich 55 (2006), the application is again considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REMAND this case to the Wayne Circuit Court for reconsideration of its order of October 13, 2004, granting plaintiff's motion for summary disposition concerning room and board expenses, in light of this Court's decision in *Griffith v State Farm Mut Automobile Ins Co*, 472 Mich 521 (2005).

We do not retain jurisdiction.

WEAVER, J., dissents and states as follows:

I would grant leave to appeal in this case to reconsider *Griffith v State Farm Mut Automobile Ins Co*, 472 Mich 521 (2005).

CAVANAGH and KELLY, JJ., join the statement of WEAVER, J.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 3, 2006

Corbin R. Davis

Clerk